

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

ROCKY STEWART WIEBE,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

Civ. Case No. C 07-4635-JF
Crim. Case No. CR 04-20171-JF

ORDER DIRECTING UNITED
STATES TO RESPOND TO
§ 2255 MOTION

Petitioner, a prisoner in federal custody, has filed a Motion to Vacate, Set Aside or Modify Sentence pursuant to 28 U.S.C. § 2255. IT IS ORDERED as follows:

_____(1) The Clerk of the Court shall (a) serve a copy of the Motion and a copy of this Order upon counsel for Respondent, the Office of the United States Attorney, Northern District of California and (b) serve a copy of this Order on Petitioner.

(2) Respondent shall, in writing and within thirty (30) days after receiving this Order, file an opposition to the Motion showing cause why the Motion should not be granted.

(3) Petitioner may file a reply within twenty (20) days after receiving the opposition.

(4) Unless otherwise ordered by the Court, the matter will be deemed submitted upon

1 the filing of the reply or upon the expiration of time to file a reply.

2 DATED: 10/11/07

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JEREMY FOGEL
United States District Judge

Copies of this order were sent to the following parties on 10/12/07:

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